

Department of the Army, DoD

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the checkwriter has committed an offense.

(b) Notify the ICCO when timely notification of dishonored check or suspension cannot be made because the soldier is absent from duty due to TDY, hospitalization, etc.

(c) Verify ID card overstepping has occurred and notify ICCO in writing.

§ 527.16 Director of Personnel & Community Activities.

The Director of Personnel & Community Activities (DPCA) will—

(a) Overstamp ID cards when requested by the ICCO.

(b) Ensure the quality of PFR/SMM training taught at the installation.

§ 527.17 Heads of check-cashing facilities.

In addition to the requirements of their proponent agencies, heads of check-cashing facilities will—

(a) Coordinate with the ICCO on administrative matters relating to the Dishonored Check Control Program.

(b) Ensure all personnel under their supervision know the installation policies and procedures for cashing checks and review the ICCO dishonored check-list prior to approving checks for encashment.

(c) Prominently display the sign cited below at each check-cashing point:

NOTICE TO CHECK CASHERS: DISCLOSURE OF SOCIAL SECURITY NUMBER (SSN) AND OTHER PERSONAL INFORMATION IS SOLICITED BY AUTHORITY OF SECTION 3012 AND 8012, TITLE 10, UNITED STATES CODE, AND IS MANDATORY IF YOU WISH TO CASH A CHECK.

ALL INFORMATION FURNISHED, INCLUDING SSN, WILL BE USED TO IDENTIFY WRITERS OF CHECKS RETURNED UNPAID.

(d) Require a consent statement authorizing immediate collection from pay for a dishonored check be placed on each check and signed by the individual. The consent statement to use is: "If this check is returned as dishonored, I consent to immediate collection from my pay for the amount of the dishonored check plus any related service or administrative charges." A prominently displayed consent sign at check cashing points may be used in lieu of the statement placed on each check.

(e) Obtain a stamp for recording additional information on the back of all personal checks if the information is not on the face of the check. This information is: name, rank, SSN, duty station, home address, home/duty phone number, and branch of service.

(f) Notify checkwriters in writing through their unit commander or first line supervisor for civilian employees of a dishonored check that has been returned by the financial institution.

§ 527.18 Persons with check-cashing privileges.

All persons with check-cashing privileges will—

(a) Fill out check properly and legibly. Include all information to be recorded on the back. Checks should be completed in black or blue/black ink, not water soluble. A pencil or any other type of writing instrument that can be erased, changed, or modified should not be used.

(b) Maintain sufficient funds in their checking account to cover the full amount of the checks.

(c) Notify the ICCO, unit commander, military police, and bank upon discovery of any lost/stolen personal checks.

(d) Provide check-cashing facilities with required information when attempting to cash a check.

(e) Have their ID card overstepped when directed to do so.

(f) Take full responsibility for any check cashed on their checking account including those cashed by family members.

(g) Redeem all checks written against their checking account which have been returned for insufficient funds.

(h) Attend remedial training when directed to do so by the ICCO.

(i) Distribute copies of disclaimer notices to check-cashing facilities.

Subpart B—Controls

SECTION I—POLICY

§ 527.19 Authority.

(a) Policies in this regulation are based on statutory authority including, but not limited to, the following:

(1) Sections 5511–5512, title 5, United States Code.

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(2) Section 1007, title 37, United States Code.

(3) Section 1382, title 18, United States Code.

(4) Articles 123a, 133, 134, Uniform Code of Military Justice (UCMJ, Art. 123a, 133, and 134).

(b) Debts to instrumentalities and agencies of the United States can be collected from military personnel by involuntary deductions from their pay when such action is authorized by law. (See Department of Defense Military Pay and Allowances Entitlements Manual (DODPM), part seven, chapter 7, and Department of Defense Retired Pay Manual (DODRPM).)

§ 527.20 General.

(a) DA policy is to give maximum service to persons entitled to use Army facilities. Installation activities extend check-cashing privileges for the convenience of their customers.

(b) The personal check is more than a simple promise to pay. By signing a check, the person makes a binding agreement to the receiver (in exchange for goods, services, or cash) that enough money to cover the check is in the person's account.

(c) The number of dishonored checks and the subsequent loss of funds to Army facilities call for firm measures to control and prevent dishonored checkwriting. Timely administrative action will be taken in all cases involving abuse or misuse of check-cashing privileges. Moral persuasion and command supervision will be used as primary measures to ensure dishonored checks are promptly redeemed and dishonored checkwriting ceases. Commanders will not tolerate or make excuses for dishonored checks issued by soldiers and their family members. Soldiers, their eligible family members, and other authorized patrons of Army facilities are expected to pay their just financial debts. Commanders will take immediate action to ensure prompt redemption of dishonored checks. They will counsel and take disciplinary action where appropriate to prevent abuse or fraud by soldiers under their command.

(d) Patrons who have abused check-cashing privileges will be given a

chance to present evidence in their behalf. (See §§ 527.24 and 527.35.)

(e) Patrons may have their check-cashing privileges suspended indefinitely if they show a chronic attitude of personal and financial irresponsibility.

(f) If a person is found using an unstamped ID card during their suspension period and when they are required to have their card overstamped, the person's check-cashing privileges may be suspended indefinitely.

(g) Suspension procedures in this chapter do not preclude action under the UCMJ.

(h) All persons who abuse check-cashing privileges are subject to pertinent civil laws. Reported check-cashing abuses may be referred to civil law enforcement authorities or, if applicable under local U.S. procedures, to a U.S. magistrate. (See AR 190-29.)

§ 527.21 Two party checks.

When a two party check is returned "unpaid", the endorser may be subject to the dishonored check provision of this regulation only if the endorser fails to redeem the check within the grace period. If the original maker of the check is proven to have written a previous dishonored check, then an additional offense will be charged to the original maker and appropriate suspension imposed. If the endorser is currently under suspension, an additional offense will be charged and the suspension period will be increased. The endorser will be required to execute a consent statement to authorize collection from his/her pay if the two party check is returned for insufficient funds. The consent statement to be executed by the endorser is stated in § 527.17(d).

§ 527.22 Sponsor responsibility.

(a) Sponsors may be held liable for acts of family members when a family member uses their dependent ID card and their sponsor's SSN for check cashing. If a family member commits an offense under these conditions, the sponsor may then be placed on the dishonored checklist. The family member may be placed on the dishonored checklist in their own right if they used a civilian ID card with their own